

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

DEBORAH LAUFER,

Plaintiff,

v.

7 HILLS HOTEL, LLC,

Defendant.

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: **Case No.: 8:22-cv-00053-BKS-ML**
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PLAINTIFF'S CASE STATUS REPORT

As alleged in plaintiff's Complaint, plaintiff DEBORAH LAUFER ("Plaintiff" or "Laufer") is an individual residing in Paco County, Florida. Compl., ¶ 1. She is disabled in that she is "unable to engage in the major life activity of walking more than a few steps without assistance devices. *Id.* She requires the use of a wheelchair, "has limited use of her hands" and also has impaired vision. *Id.*

Defendant 7 HILLS HOTEL, LLC, is a New York limited liability company doing business as "Americas Best Value Inn," located at 19 Booth Drive, Plattsburgh, NY 12901 ("Defendant").

Plaintiff's Complaint alleges two causes of action. The first alleges violations of the ADA, 42 U.S.C. § 12181 *et seq.* and its implementing rules at 28 CFR § 36.302(e), and seeks injunctive relief and attorney's fees. The second alleges violation of the New York Human Right's Law, N.Y. Executive Law § 296 and seeks compensatory damages in the amount of \$1,000.

On 4/27/22, this Case was referred to Mandatory Mediation. On 4/29/22, Plaintiff filed a motion to attend mediation via Zoom due to the time and expense associated with interstate travel to attend mediation in person. On 5/18/22, Defendant responded to that motion. On 5/19/22, this Court denied Plaintiff's motion. Immediately thereafter, the undersigned sought and obtained defense counsel's consent to dismiss this case. On 5/27/2022, Defense counsel demanded that Plaintiff pay them \$500 to dismiss this case. On 6/2/2022, the undersigned filed a Motion to Dismiss this case. On 6/23/2022, Defense counsel filed an affidavit in opposition to Plaintiff's 6/2/2022 Motion to Dismiss.

No significant developments and/ or communication between the parties have occurred in this case since the 6/23/2022 filing. Based on the foregoing, the undersigned respectfully requests that this Court dismiss Plaintiff's Complaint pursuant to FRCP 41(a)(2).

Date: Friday, July 15, 2022

Respectfully submitted,

/s/ Tristan W. Gillespie

Tristan W. Gillespie

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